

## **Senate Joint Resolution No. 6**

### **RESOLUTION CHAPTER 93**

Senate Joint Resolution No. 6—Relative to Filipino veterans' benefits.

[Filed with Secretary of State September 2, 1997.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

**SJR 6, Solis.** Filipino veterans of World War II: veterans' benefits.

This measure would memorialize the President and the Congress of the United States to take action necessary to honor our country's moral obligation to provide Filipino veterans with the military benefits that they deserve, including, but not limited to, holding related hearings, and acting favorably on legislation pertaining to the granting of full veterans' benefits to Filipino veterans of the United States Armed Forces.

WHEREAS, The Philippine Islands became a United States possession in 1898 when they were ceded from Spain following the Spanish-American War and remained a possession of the United States until 1946; and

WHEREAS, In 1934, Congress passed Public Law 73-127, the Philippine Independence Act, that set a 10-year timetable for the eventual independence of the Philippines and in the interim established a Commonwealth of the Philippines with certain powers over its internal affairs; and

WHEREAS, The granting of full independence ultimately was delayed for two years until 1946 because of the Japanese occupation of the islands from 1942 to 1945; and

WHEREAS, During the interval between 1934 and the final independence in 1946, the United States retained certain sovereign powers over the Philippines, including the right, upon order of the President of the United States, to call into the service of the United States Armed Forces all military forces organized by the Commonwealth government; and

WHEREAS, President Roosevelt invoked this authority by executive order of July 26, 1941, bringing the Philippine Commonwealth Army into the service of the United States Armed Forces of the Far East under the command of Lt. General Douglas MacArthur; and

WHEREAS, Two hundred thousand Filipino soldiers, driven by a sense of honor and dignity, battled under United States Command after 1941 to preserve our liberty; and

WHEREAS, There are four groups of Filipino nationals who are entitled to all or some of the benefits to which United States veterans are entitled. These are:

(1) Filipinos who served in the regular components of the United States Armed Forces.

(2) Regular Philippine Scouts, called "Old Scouts," who enlisted in Filipino-manned units of the United States Army prior to October 6, 1945.

(3) Special Philippine Scouts, called "New Scouts," who enlisted in the United States Armed Forces between October 6, 1945, and June 30, 1947, primarily to perform occupation duty in the Pacific following World War II.

(4) Members of the Philippine Commonwealth Army who on July 26, 1941, were called into the service of the United States Armed Forces. This group includes organized guerrilla resistance units that were recognized by the United States Army; and

WHEREAS, The first two groups, Filipinos who served in the regular components of the United States Army and Old Scouts, are considered United States veterans and are generally entitled to the full range of United States veterans' benefits; and

WHEREAS, The other two groups, New Scouts and members of the Commonwealth Army, are eligible for certain benefits, and some of these are paid at lower than full rates. United States veterans' medical benefits for the four groups of Filipino veterans vary depending upon whether the person resides in the United States or the Philippines; and

WHEREAS, The Old Scouts were created in 1901 pursuant to the Act of February 2, 1901, that authorized the President of the United States "to enlist natives [of the Philippines] ... for service in the Army, to be organized as scouts ... or as troops or companies, as authorized by this Act, for the regular Army"; and

WHEREAS, Prior to World War II, these troops assisted in the maintenance of domestic order in the Philippines and served as a combat ready force to defend the islands against foreign invasion; and

WHEREAS, During the war, they participated in the defense of and retaking of the islands from Japanese occupation. The eligibility of Old Scouts for benefits based on military service in the United States Armed Forces, including veterans' benefits, has long been established; and

WHEREAS, The federal Department of Veterans Affairs operates a comprehensive program of veterans' benefits in the Republic of the Philippines, including the operation of a federal Department of Veterans Affairs office in Manila; and

WHEREAS, The federal Department of Veterans Affairs does not operate a program of this type in any other country; and

WHEREAS, The program in the Philippines evolved because the Philippines were a United States possession during the period

1898–1946, and many Filipinos have served in the United States Armed Forces, and because the preindependence Commonwealth Army of the Philippines was called into the service of the United States Armed Forces during World War II (1941–1945); and

WHEREAS, Our nation, however, has failed to meet the promises made to those Filipino soldiers who fought as American soldiers during World War II; and

WHEREAS, Many Filipino veterans have been discriminated against by the classification of their service as not being service rendered in the United States Armed Forces for purposes of benefits from the federal Department of Veterans' Affairs; and

WHEREAS, Filipinos gallantly served at Bataan and Corregidor, giving their toil, blood, and lives so as to provide the United States valuable time to rearm materiel and men to launch the counteroffensive in the Pacific war; and

WHEREAS, All other nationals, even foreigners, who served in the United States Armed Forces have been recognized and granted full rights and benefits, but the Filipinos who actually were American nationals at that time were and are still denied recognition and singled out for exclusion, and this treatment is unfair and discriminatory; and

WHEREAS, On March 6, 1997, House Resolution No. 836, the Filipino Veterans Equity Act, was introduced in the United States House of Representatives, to deem service in the organized military forces of the government of the Commonwealth of the Philippines and the Philippine Scouts during World War II to be active service for the purpose of benefits under programs administered by the Secretary of Veteran Affairs; and

WHEREAS, The proposed legislation would bring relief to the estimated remaining 60,000 to 70,000 Filipino veterans (out of the initial 175,000 to 200,000 troops) who risked their lives during World War II, surviving the occupation of the Philippine Islands and the infamous Bataan Death March, and who, now in their mid-60's to mid-90's, have been battling for years to obtain the benefits of other veterans of that war; and

WHEREAS, On October 20, 1996, President Clinton issued a proclamation honoring the nearly 100,000 Filipino veterans of World War II, soldiers of the Philippine Commonwealth Army, who fought as a component of the United States Forces alongside Allied Forces for four long years to defend and reclaim the Philippine Islands, and thousands more who joined the United States Armed Forces after the war; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to take action necessary to honor our country's moral obligation to provide Filipino veterans with the military benefits that they deserve,

including, but not limited to, holding related hearings, and acting favorably on legislation pertaining to granting full veterans' benefits to Filipino veterans of the United States Armed Forces; and be it further

*Resolved*, That the Secretary of the Senate transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

